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Via e-mail TownofSandown@sandown.us & regular U.S. Mail & facsimile 887-5163

Town of Sandown, Board of Selectmen
Chairman Hans Nicolaisen
Vice Chairman Stephen Brown
Brenda Copp
Thomas Tombarello
James E. Devine
P.O. Box 1756
320 Main Street
Sandown, NH 03873

RE: reinstatement of a 1990 selectmen's ordinance "The carrying of firearms will be prohibited in the Town of Sandown town hall or any other building by anyone other than a law enforcement officer." <http://www.nutpub.net/html/ttmain.html>

Dear Selectmen:

It has come to my attention that you have re enacted a town ordinance as outlined above. I would hope that you were unaware that this new ordinance is in violation of state law when you approved it. This communication is hereby notice that you are in violation of New Hampshire RSA 159:26, effective July 18, 2003, which provides

"Firearms and Ammunition; Authority of the State. –

I. To the extent consistent with federal law, the state of New Hampshire shall have authority and jurisdiction over the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, or other matter pertaining to firearms, firearms components, ammunition, or firearms supplies in the state. **Except as otherwise specifically provided by statute, no ordinance or regulation of a political subdivision may regulate the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, or other matter pertaining to firearms, firearms components, ammunition, or firearms supplies in the state.** Nothing in this section shall be construed as affecting a political subdivision's right to adopt zoning ordinances for the

purpose of regulating firearms businesses in the same manner as other businesses or to take any action allowed under RSA 207:59.

II. Upon the effective date of this section, all municipal ordinances and regulations not authorized under paragraph I relative to the sale, purchase, ownership, use, possession, transportation, licensing, permitting, taxation, or other matter pertaining to firearms, firearm components, ammunition, or firearms supplies **shall be null and void.**

Source. 2003, 283:2, **eff. July 18, 2003.**” (emphasis supplied) And found at <http://www.gencourt.state.nh.us/rsa/html/XII/159/159-26.htm>.

In addition to the fact that it defies common sense as to why any town would seek to encourage the potential for criminal attack on law abiding citizens as well as town employees (the data both from a variety of government and law enforcement sources as well as private research is overwhelming and beyond question that when you prohibit law abiding citizens from carrying firearms crime of all types dramatically increases), any such ordinance is null and void pursuant to New Hampshire RSA 159:26 II (see above).

Please be advised that if necessary, an injunction seeking protection for individuals seeking to exercise their right to self defense and to prohibit the illegal enforcement of this ordinance will be sought in the courts, and attorneys fees and costs will be sought if your town attempts to enforce this illegal ordinance.

Very truly yours,

Penny S. Dean

PSD